THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12640 of 2007

ORAL ORDER:

This writ petition is being disposed of at the stage of admission with the consent of the both parties.

The writ petition is filed being aggrieved by the award passed in I.D.No.29 of 2005 dated 23.12.2006 on the file of the first respondent-Labour Court, whereunder the claim petition filed by the petitioner under Section 2-A(2) of the Industrial Disputes Act, 1947 was disposed of remanding the matter to the second respondent-Depot Manager for fresh consideration.

The impugned order of the Labour Court is ex-facie erroneous. Whenever a claim petition is filed under Section 2-A(2) of the I.D. Act, the Labour Court has to dispose of the same on merits while invoking Section 11-A of the I.D. Act and instead of doing that the Labour Court has adopted a novel method of remanding the matter to the employer. In my considered opinion, the same is not permissible under I.D. Act. Therefore, the impugned award is liable to be set aside and accordingly set aside. The matter is remitted back to the Labour Court for fresh consideration of the entire issue after putting all the parties on notice and dispose of the same within a period of six weeks from the date of receipt of a copy of this order.

The writ petition is accordingly allowed. No order as to costs.

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C.V.RAMULU, J

Date: 19.6.2007

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12640 of 2007

19.6.2007

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.12640 of 2007

Date: 19th June, 2007

Between:

M.Srinivas Reddy

.. Petitioner

And

Industrial Tribunal-cum-Labour Court,
represented by its Chairman,
Godavarikhani, Karimnagar district & another.

.. Respondents